

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TERRY D. WRIGHT, SR.,

Plaintiff,

Civil Action No.  
09-CV-14853

vs.

HON. MARK A. GOLDSMITH

MGM GRAND CASINO, et al.,

Defendants.

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**ORDER (1) ACCEPTING AND ADOPTING THE REPORT AND  
RECOMMENDATION OF THE MAGISTRATE JUDGE DATED JANUARY 10,  
2012, (2) AFFIRMING THE ORDER ISSUED BY THE MAGISTRATE JUDGE ON  
JANUARY 10, 2012, (3) OVERRULING PLAINTIFF'S OBJECTIONS, (4)  
GRANTING THE MOTION TO DISMISS OF DEFENDANTS DICKINSON  
WRIGHT PLLC AND LOUIS THEROS , and (5) GRANTING THE MOTION TO  
DISMISS OF DEFENDANT MGM RESORTS INTERNATIONAL**

This matter is presently before the Court on Magistrate Judge Michael Hluchaniuk's Report and Recommendation ("R&R"), issued on January 10, 2012, and on his order, issued on the same date. In the R&R, the Magistrate Judge recommends that the Court grant: (a) the motion to dismiss of Defendants Dickinson Wright PLLC and Louis Theros, and (b) the motion to dismiss of MGM Resorts International (f/k/a MGM MIRAGE). In the order, the Magistrate Judge denied Plaintiff's motion for leave to file an amended complaint. The reasoning supporting the Magistrate Judge's decision to deny the amendment motion is outlined in the R&R.

Plaintiff objects to the Magistrate Judge's recommendation relating to the two motions to dismiss, and to the order denying Plaintiff's motion for leave to file an amended complaint. The Court's review of the Magistrate Judge's recommendation on the dispositive matters is de novo. Fed. R. Civ. P. 72(b)(3). The denial of Plaintiff's amendment motion is reviewed under a "clearly erroneous" or "contrary to law" standard. Fed. R. Civ. P. 72(a).

The Court has conducted the appropriate review. The Court concludes, over Plaintiff's objections, that the Magistrate Judge has reached the correct conclusions for the correct reasons as to the motions to dismiss. The Court further concludes that the Magistrate Judge's approach to resolving the amendment motion is reasonable and not clearly erroneous. Accordingly, Plaintiff's objections are overruled, the R&R is accepted and adopted as the findings and conclusions of the Court, and the order denying Plaintiff's motion for leave to amend is affirmed.

In addition, the Court notes that Plaintiff did not file response briefs opposing the two defense motions that are currently before the Court, despite the fact that the Magistrate Judge issued orders directing Plaintiff to do so. Plaintiff's objections are overruled for this reason, as well. See Marshall v. Chater, 75 F.3d 1421, 1426 (10th Cir. 1996) ("[T]heories raised for the first time in objections to the magistrate judge's report are deemed waived.").

SO ORDERED.

Dated: January 26, 2012  
Flint, Michigan

s/Mark A. Goldsmith  
MARK A. GOLDSMITH  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 26, 2012.

s/Deborah J. Goltz  
DEBORAH J. GOLTZ  
Case Manager